

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Clarence Johnson,

Civil No. 04-4684 (DWF/JSM)

Plaintiff,

v.

ORDER

University Good Samaritan Center and
Local No. 8 AFSCME Council No. 14,

Defendants.

Clarence Johnson, *Pro Se*, Plaintiff.

Robert K. Shelquist, Esq., Lockridge Grindal Nauen PLLP; Timothy D. Loudon, Esq., and Joseph S. Dreesen, Esq., counsel for Defendant University Good Samaritan Center; and Gregg M. Corwin, Esq., and Jennifer J. Duchscherer, Esq., Gregg M. Corwin & Associates Law Office, PC, counsel for Defendant Local No. 8 AFSCME, Council No. 14.

This matter is before the Court upon Plaintiff's self-styled objections to Magistrate Judge Janie S. Mayeron's Report and Recommendation dated June 21, 2005, recommending that: (1) Defendant AFSCME Council No. 14's motion to dismiss complaint be granted; (2) Defendant University Good Samaritan's motion to dismiss or, in the alternative, for summary judgment be granted; (3) Plaintiff's motion, and motion to dismiss be denied; and (4) Plaintiff's complaint be dismissed with prejudice.

The Court has conducted a *de novo* review of the record, including a review of the arguments and submissions of counsel, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.1(c).

Based upon the *de novo* review of the record and all of the arguments and submissions of the parties and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

ORDER

1. Plaintiff Clarence Johnson's self-styled objections (Doc. No. 34) to Magistrate Judge Janie S. Mayeron's Report and Recommendation dated June 21, 2005, are **DENIED**.
2. Magistrate Judge Janie S. Mayeron's Report and Recommendation dated June 21, 2005 (Doc. No. 33), is **ADOPTED**.
3. Defendant AFSCME Council No. 14's motion to dismiss complaint is **GRANTED**.
4. Defendant University Good Samaritan's motion to dismiss or, in the alternative, for summary judgment (Doc. No. 18) is **GRANTED**.
5. Plaintiff's motion, and motion to dismiss (Doc. No. 30) is **DENIED**.
6. Plaintiff's complaint (Doc. No. 1) is **DISMISSED WITH PREJUDICE**.

Dated: July 19, 2005

s/Donovan W. Frank
DONOVAN W. FRANK
Judge of United States District Court